SUBJECT No. 30.

Small cause jurisdiction to Sub-Judges up to Rs. 100.

Mr. C. Krishnamurti, Law Association, Bangalore.

*Summary of discussion.*—If separate small cause courts cannot be established, then the small cause jurisdiction of the Bangalore Sub-Judge may be reduced to Rs. 100 and small cause jurisdiction of the munsiffs of Bangalore may be taken away.

In making the above suggestion the member said that, while in all the other parts of the State small cause jurisdiction was fixed at Rs. 100, the Bangalore District alone was treated differently, the jurisdiction of the Sub-Judge of Bangalore being Rs. 300.

*Reply of Government.*—The matter will be considered in consultation with the Chief Court.

SUBJECT No. 31.

Establishment of munsiffs' courts.

Mr. Surasastri, Chikballapur Taluk.

*Summary of discussion.*—A Munsiff's Court may be established for every three taluks, investing munsiffs with 2nd and 3rd class magisterial powers.

The suggestion would tend to the convenience of the people and the speedy disposal of civil and criminal work; and he added that if the Munsiff of one station had not enough civil work, he might be given criminal work also.

*Reply of Government.*—Recorded.

SUBJECT No. 32.

Raising the scale of pay of munsiffs.

Mr. M. Lakshminarasimhachar, Hassan Taluk.

*Summary of discussion.*—At present there are four grades of munsiffs, their pay ranging from Rs. 150 to Rs. 350 per mensem. Of late the work of the munsiffs has considerably increased inasmuch as they have to attend to civil as well as criminal cases, since all the munsiffs are now invested with 2nd class magisterial powers. It is prayed that the pay of munsiffs of the Mysore State may be graded from Rs. 200 to Rs. 400 per mensem, as in the Madras Presidency.

*Reply of Government.*—Recorded.

SUBJECT No. 33.

Increase of pay to the establishments of munsiffs' courts.

Mr. M. Lakshminarasimhachar, Hassan Taluk.

*Summary of discussion.*—Increase of pay to the establishments of munsiffs' courts is necessary since promotion in the line is limited.

*Reply of Government.*—Recorded.

SUBJECT No. 34.

Revision of the establishment of the civil courts.

Mr. B. Narasinga Rao, Seringapatam Municipality.

Withdrawn.

SUBJECT No. 35.

Amins and process servers.

Mr. B. Kesavaiya, Chikmagalur Taluk.

*Summary of discussion.*—The pay of the civil court amins is Rs. 16 or Rs. 14, and that of process servers Rs. 8 or Rs. 7. These officers are often entrusted with the distraint and sale of valuable movable and immovable properties and the preparation of necessary records relating thereto. It is necessary that these responsible officers should be well paid to place them above temptation. It

is therefore prayed that their pay may be increased so that the amins may not be of a lower grade than Excise Assistant Inspectors and the process servers not lower than Excise Sub-Inspectors.

The object in making the above suggestion was to attract a better class of persons for the posts of amins and process servers.

*Reply of Government.*—Recorded.

SUBJECT No. 36.

Fee for succession certificates.

Mr. A. Ramanna, Yedatore Taluk.

*Summary of discussion.*—In cases coming under the Succession Certificate Act and in granting certificates to guardians of minors, it works very hard to litigant public that they should be required to deposit the stamp fee at the time of filing applications. Amendment of law that such fee may be paid once for all while taking out copy after order is passed may be ordered. The difficulty arises in cases where several persons apply for a certificate of succession, while in the end it frequently happens that only one of them is granted the certificate by the Court. Even in such cases it is necessary under the law as it stands that all the applicants should pay into court the stamp fee for the certificate.

*Reply of Government.*—The matter will be considered.

SUBJECT No. 37.

Half *ad valorem* at the beginning of suit.

Mr. C. Krishnamurti, Law Association, Bangalore.

*Summary of discussion.*—Only half the *ad valorem* fee may be levied on plaints to begin with, and the other half recovered when contention commences. This conduces to speedy disposal of civil cases, especially if the defendant is made to pay the remaining half of the court-fee when he enters on his defence. It will then be to the interest of both the parties to arrive at a speedy and satisfactory settlement of the litigation. There is now great difficulty in obtaining refunds in cases disposed of by consent.

NOTE:—Several members spoke against the proposal to saddle the defendant with half the court-fee as it was inequitable that he should be made to pay to make it easier for the plaintiff to rush into court.

Mr. Venkataramaiya of Manjarabad opposed the proposal *in toto* on the ground that it encourages litigation among the public, that cases which are now disposed of by compromise will thereafter have to be decided by courts and that the suggestion will be helpful only to the money-lending classes like the Marwadis and Labbes who are now restrained to a certain extent from rushing into court and ruining their debtors owing to the necessity of having to pay for doing so.

*Reply of Government.*—The Government will endeavour to adopt the suggestion of levying half the *ad valorem* fee at the commencement.